



Legislative Bulletin.....October 25, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: Less than \$500,000 a year

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 4

Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority: 0

H.Res. 220 — Recognizing America’s Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply, and for other purposes — *as introduced* (Boustany)

Order of Business: The resolution is scheduled for consideration on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 220 resolves that the House of Representatives:

- 1) “recognizes the unique role of America's Blood Centers and its members in--
 - A) providing life saving blood to patients, including the military in times of war and the Nation in times of disaster;
 - B) ensuring the safety of that blood supply; and
 - C) promoting essential blood donor initiatives;
- 2) “acknowledges the efforts made by member community blood centers to promote and protect the safety and adequacy of blood components provided to patients; and
- 3) “recognizes the need to promote a stable blood supply and increase volunteer participation of blood donors.”

Additional Information: Controversy has surrounded the federal guidelines governing blood donation, and which blood donor organizations support or oppose those regulations. Specifically, the Food and Drug Administration Donor Deferral Policy currently states that “men who admit to having sex with other men, even once, since 1977, are deferred from donating blood.” Potential donors are also permanently excluded from donating blood if there is evidence of HIV infection or for a history of intravenous drug abuse or viral hepatitis. According to the FDA, the current blood donor deferral policy has been in place since 1985. For more information on the FDA history of this policy, see: <http://www.fda.gov/ohrms/dockets/ac/97/transcpt/3361t1.pdf>

The American Red Cross, the largest blood collector in the United States, publicly supports the FDA policy. America's Blood Centers, according to numerous press reports, would like to see the rule relaxed. Rather than a lifetime ban, the organization would prefer to block men for a shorter time after homosexual sex.

According to America’s Blood Center’s website, “Only people who are not at risk for an infectious disease can give blood. Donors must answer a series of detailed questions about their health and risk for diseases that can be passed through the blood supply such as HIV (the disease that causes AIDS) and the hepatitis C virus (HCV). After completing the health questionnaire, donors take a mini-physical to make sure they are not anemic, have a fever or have high blood pressure. Each unit of donated blood (about one pint) goes through extensive testing to make sure it's safe for transfusion. If you think your health or behavior (such as using intravenous drugs or having multiple sex partners) may pose a threat to the blood supply, you should not donate blood. You also should not give blood to be tested for HIV, HCV or any other disease that can be transmitted through the blood supply.”

Committee Action: H.Res. 220 was introduced on April 19, 2005, and referred to the Committee on Energy and Commerce’s Subcommittee on Health. The resolution was considered and a mark-up was session held on July 20, 2005, and it was reported to the House by voice vote.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 3675 — American Spirit Fraud Prevention Act — *as introduced* (Bass)

Order of Business: The bill is scheduled for consideration on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

An almost identical bill, H.R. 346, passed the House during the 108th Congress by a vote of 422-1 on February 12, 2003: [Roll no. 24](#).

Summary: H.R. 3675 would amend the Federal Trade Commission (FTC) Act to double the existing statutory civil penalty for a violation involving an “unfair or deceptive act or practice” (15 U.S.C. 45(m)(1)) during either a national emergency period or disaster period (as defined by the Stafford Act), or relating to an international disaster (as defined by the Foreign Assistance Act), if the act or practice “exploits popular reaction to the national emergency or major disaster.” It would also direct the court to hold the relevant person, partnership, or corporation liable for a civil penalty of not more than \$22,000 for violations of other laws enforced by the FTC.

Committee Action: H.R. 3675 was introduced on September 7, 2005, and referred to the Committee on Energy and Commerce’s Subcommittee on Commerce, Trade and Consumer Protection, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 3675 is unavailable. However, for the almost identical bill in the 108th Congress (H.R. 346), CBO estimates that the bill “would increase the agency’s enforcement costs by less than \$500,000 a year. Any such costs would be subject to the availability of appropriated funds. Under the bill, the FTC also may collect more civil fines, which are classified in the budget as governmental receipts (revenues). However, CBO estimates that any such increase in receipts would be negligible.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.Res. 485— Supporting the goals of Red Ribbon Week (Souder)

Order of Business: The resolution is scheduled for consideration on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 485 resolves that the House of Representatives:

- “supports the goals of Red Ribbon Week;
- “encourages children and teens to choose to live a drug-free life; and
- “encourages all people of the United States to promote drug-free communities and to participate in drug prevention activities to show support for healthy, productive, drug-free lifestyles.”

The resolution contains a number of findings, including:

- “the Governors and Attorneys General of the States, the National Family Partnership, Parent Teacher Associations, Boys and Girls Clubs of America, and more than 100 other organizations throughout the United States annually cosponsor Red Ribbon Week during the week of October 23 through October 31;
- “a purpose of the Red Ribbon Campaign is to commemorate the service of Enrique ‘Kiki’ Camarena, a Drug Enforcement Administration special agent who died in the line of duty in 1985 while engaged in the battle against illicit drugs;
- “the Red Ribbon Campaign is nationally recognized and is in its twentieth year of celebration, helping to preserve Special Agent Camarena’s memory and further the cause for which he gave his life;
- “the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community wide support;
- “emerging drug threats, such as the growing epidemic of methamphetamine abuse, jeopardize the progress made against illegal drug abuse; and
- “parents, youth, schools, businesses, law enforcement agencies, religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this weeklong celebration.”

Additional Information: For more information regarding Red Ribbon Week, please visit: <http://www.tcada.state.tx.us/redribbon/>.

Committee Action: On October 6, 2005, the resolution was introduced and referred to the House Committee on Energy and Commerce, which took no official action.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Con.Res. 269 — Recognizing the 40th anniversary of the White House Fellows Program—*as introduced* (Barton)

Order of Business: The resolution is scheduled to be considered on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: The resolution resolves that Congress:

- “(1) recognizes the 40th anniversary of the White House Fellows program and commends the White House Fellows for their continuing lifetime commitment to public service;
- “(2) acknowledges the legacy of leadership provided by White House Fellows over the years in their local communities, the Nation, and the world; and
- “(3) expresses appreciation and support for the continuing leadership of White House Fellows in all aspects of our national life in the years ahead.”

Additional Information: In 1964, John W. Gardner suggested the creation of a fellows program and, through executive order, President Lyndon B. Johnson established the President’s Commission on White House Fellowships. According to the resolution’s findings, the program selects between 11 and 19 outstanding young Americans every year and brings them to Washington for “first hand, high-level experience in the workings of the Federal Government, to establish an era when the young men and women of America and their government belonged to each other--belonged to each other in fact and in spirit.” More than 600 White House Fellows have served under eight presidents and September 1, 2005, marked the 40th anniversary of the first class of White House Fellows.

Committee Action: On October 20, 2005, the bill was referred to the Committee on Ways and Means, which took no official action.

Cost to Taxpayers: No.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 3256 — Congressman James Grove Fulton Memorial Post Office Designation Act — *as introduced* (Murphy)

Order of Business: The bill is scheduled to be considered on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3256 designates the facility of the United States Postal Service located at located at 3038 West Liberty in Pittsburgh, Pennsylvania, as the “Congressman James Grove Fulton Memorial Post Office Building.”

Additional Information: James Grove Fulton was a Republican Congressman from Pennsylvania. He was the publisher of the *Mount Lebanon News* and several other newspapers and served in the South Pacific in the U.S. Naval Reserve in 1942. In 1944, while still in the service, Grove was elected as a Republican to the 79th Congress and reelected to the 13 succeeding Congresses, serving from January 3, 1945, until his death on October 6, 1971. Source: <http://bioguide.congress.gov/scripts/biodisplay.pl?index=F000422>

Committee Action: The bill was introduced on July 12, 2005, and referred to the Committee on Government Reform, which considered the bill and, by unanimous consent on October 20, 2005, ordered it reported to the full House.

Cost to Taxpayers: The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and post Roads.”

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H.R. 3368 — Gagetown Veterans Memorial Post Office Designation Act — *as introduced (Kildee)*

Order of Business: The bill is scheduled to be considered on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3368 designates the facility of the United States Postal Service located at located at 6483 Lincoln Street in Gagetown, Michigan, as the “Gagetown Veterans Memorial Post Office.”

Committee Action: The bill was introduced on July 20, 2005, and referred to the Committee on Government Reform, which considered the bill and, by unanimous consent on October 20, 2005, ordered it reported to the full House.

Cost to Taxpayers: The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and post Roads.”

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H.Res. 484 — Supporting efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth — *as introduced* (Porter)

Order of Business: The resolution is scheduled for consideration on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 484 resolves, that the House of Representatives:

- “supports efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations.”

The resolution lists a number of findings, including:

- “preventing young people from running away and supporting homeless youth and youth in other high-risk situations is a family, community, and national concern;
- “the prevalence of runaway and homeless youth in the Nation is staggering, with studies suggesting that between 1,600,000 and 2,800,000 young people live on the streets of the United States each year;
- “providers of services to runaway and homeless youth are experiencing increased demand for services due to the displacement of youth and families in the aftermath of Hurricanes Katrina and Rita;
- “the commemoration of National Runaway Prevention Month will encourage all sectors of society to develop community-based solutions to prevent runaway and homeless episodes among the Nation's youth;
- “effective programs that support runaway and homeless youth and assist young people in remaining at home succeed because of partnerships created among families, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses;
- “Congress supports an array of community-based support services that address the critical needs of runaway and homeless youth, including family strengthening, street outreach, emergency shelter, and transitional living programs;
- “Congress supports programs that provide crisis intervention and referrals to reconnect runaway and homeless youth to their families and to link young people to local resources that provide positive alternatives to running away; and
- “the purpose of National Runaway Prevention Month in November 2005 is to increase public awareness of the life circumstances of youth in high-risk situations and the need for safe and

productive alternatives, resources, and supports for youth, their families, and their communities.”

Committee Action: On October 6, 2005, the resolution was introduced and referred to the House Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 758 — To establish an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation — *as introduced* (Ehlers)

Order of Business: The bill is scheduled for consideration on Tuesday, October 25, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 758 establishes the “Interagency Aerospace Revitalization Task Force” to develop a national strategy for aerospace workforce recruitment, training, and cultivation. Specifically, the task force is to develop strategies for increasing cooperation among the Federal departments and agencies, developing integrated Federal Government policies to promote and monitor public and private sector programs for science, engineering, technology, and mathematics. Directed to meet at least twice yearly, the task force is to consist of 11 members, all representing various Federal departments and agencies, and the Assistant Secretary of Labor for Employment and Training shall serve as the chairperson.

The bill contains a number of findings, including:

- “The aerospace industry generates nearly 15 percent of the gross domestic product of the United States, supports approximately 11,000,000 jobs in the United States, and leads the United States economy in net exports.
- “The aerospace industry contributes directly to the economic and national security of the United States through military, space, air transport, and information technology applications.
- “A skilled and educated workforce represents the most valuable asset of the United States economy.
- “Students in the United States rank near the bottom of the leading industrialized countries of the world in mathematics and science test performance.
- “To ensure the stability of high-skilled jobs and the global competitiveness of the domestic aerospace industry, the United States requires coordinated Federal Government policies to sustain and expand the science, mathematics, engineering, and manufacturing workforce.”

Committee Action: On February 10, 2005, the bill was introduced and referred to the House Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: There is no CBO cost estimate available for H.R. 758.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill creates a new federal task force.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: No House report is available for H.R. 758.

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